

From a Differentiated Approach to the Formation of Legal Competences (In the Case of a Future Teacher)

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ABSTRACT

This article presents proposals for eliminating legal nihilism, the effective results of legal immunity against factors that negatively affect the upbringing of young people, and legal competence. The main goal of using a differentiated approach in the formation of legal competencies in future teachers is to achieve legal education. In the process of obtaining legal education, students should know their rights and freedoms established in our Constitution, use them and be able to apply them in their lives. An individual approach is of particular importance in using a differentiated approach in the formation of legal competencies in future teachers. In this case, the ability to assimilate each student is differentiated, and legal knowledge is presented in different forms. Studies show that a person's ability to perceive information is carried out through the organs of vision and hearing. Taking this into account, it is advisable to use a differentiated approach in the presentation of legal information.

Keywords: Competence; Legal Competence; Legal Capacity; Legal Worldview; Legal Thinking; Legal Consciousness; Legal Thought; Method; Methodology; Technology; Pedagogical Tool.

1. Introduction

Any scientific problem is subject to its own category and concept, which not only forms the essence, object, and content of the idea, but also provides the opportunity to formulate the research problem and choose the most effective methods for solving it.

1.1. Study Objectives

The main goals of the reforms being implemented in the labor legislation of the Republic of Uzbekistan are:

1. Achieving high employment and strong social protection;
2. Improving the social living and working conditions of the population;
3. Protecting social cohesion.

We all know that there is no sector in our society that is not related to the labor team. Regardless of the profession, everyone carries out their activities on the basis of labor legislation. The competitiveness of personnel, high legal culture, responsible and conscientious approach to their duties, an accomplished specialist in their field are, of course, inextricably linked with higher education.

2. Literature review

“Improving legal awareness and legal culture in society is one of the most important conditions for ensuring the rule of law and strengthening legality. A number of problems and shortcomings remain that hinder the formation of an attitude of respect for human rights and freedoms, the improvement of the legal awareness and legal culture of the population, and the increase in the level of legal literacy of citizens in society. A comprehensive approach

has not been taken to the formation of legal immunity to factors that negatively affect the legal education of young people, to instill in each person a sense of respect for laws and morals, loyalty to national values, and intolerance towards law violations” [1].

“The reforms carried out in the Republic of Uzbekistan have led to the fact that the status of the teacher has been elevated to the level of state policy, the only profession mentioned in the supreme law, in the amendments and additions to the Constitution. This, in turn, is a solid legal basis for the traditions of the teacher-student relationship as a national value, as stated in Article 52 of our Constitution: “The work of a teacher in the Republic of Uzbekistan is recognized as the basis for the development of society and the state, the formation and upbringing of a healthy and harmonious generation, the preservation and enrichment of the spiritual and cultural potential of the people. The state takes care of protecting the honor and dignity of teachers, their social and material well-being, and professional growth” [2].

In the formation of legal competences in future teachers, it serves as an effective means of conveying the state's views on social, political, economic and legal spheres to the population.

The problems of legal culture and legal consciousness in the use of a differentiated approach to the formation of legal competences in future teachers are today in the focus of attention not only in developing countries, but also in developed countries. They paid special attention to the process of raising legal literacy, permanently instilled it into the minds of the young generation and developed legal perceptive ability.

“In pedagogy, the term legal competence is defined as the level of a teacher's sense of justice and the development of moral and legal norms. From a legal point of view, the main emphasis in legal competence is on legal education and the formation of the teacher's legal culture. Firstly, the term "competence" not only expresses the traditional trinity of "knowledge, skills, abilities" in one word, but also performs a continuous function, uniting its components” [3].

We will try to analyze the term competence with the opinions of scholars and classify it from the perspective of legal competence.

3. Methodology

This study used scientific methods of knowledge such as comparative analysis, analysis and synthesis, retrospective analysis, dialectical analysis, and a systemic-functional approach.

R. Groot advocates dividing stratification into internal and external types, and identifies three main areas of stratification: according to the time of instruction (time is given to students with low mastery to separately master and complete educational tasks); according to the conditions of instruction (organization of educational processes in different forms depending on the level of complexity of educational materials and teacher assistance, tasks); according to educational goals (depending on each stream (stream)).

In conclusion, taking into account the theoretical foundations of the problem, we consider it necessary to dwell on the main goal of educational stratification, as set out in the foundations of V.M. Monakhov, V.A. Orlov, V.A. Firsob, B.B., T.B. Zakharova, T.B. Filatova.

4. Analysis and Results

According to the definition of V.V. Zakharov, “Competence in a broad sense is deep knowledge or mastered skills on a subject” [4]. Based on the knowledge, it is said that future teachers will have deep legal knowledge and skills as a result of mastering legal disciplines using a differentiated approach in the formation of their legal competencies. In the explanatory dictionary of S.I. Ozhegova, the word “competence” is explained as follows: 1) awareness; 2) authority as a competence in a certain area; 3) possession of certain knowledge in a number of issues and events; 4) rights and powers of a person [5]. In this case, legal awareness as a result of mastering legal disciplines using a differentiated approach in the formation of their legal competencies of future teachers, for example, having legal competence in the mastering of labor law is the knowledge and ability to get out of various situations in labor relations. When using a stratified approach to the formation of legal competences in future teachers, it is assumed that an individual approach is given to each student, that is, legal knowledge and information are provided taking into account the student's ability to absorb and receive.

In the “Newest Dictionary of Foreign Words and Expressions,” competence is defined as “having the knowledge and experience to judge something; having a strong authoritative opinion” [6]. In this context, in the formation of legal competencies in future teachers, for example, in their work activities, it means having legal knowledge and experience to judge in a given situation, and having an effective opinion.

The modern "Sociological Encyclopedia" defines this concept as follows: "Competence (from Latin *copetere* - to achieve, to comply, to approach) is the personal qualities of a leader, team leader, authority figure, including high professionalism, knowledge of the interests and needs of people, the situation in which he acts, the ability to analyze the system of social relations, the interaction of social institutions, the ability to foresee the consequences of certain actions, the ability of a person to act effectively in a socio-psychological manner, to interact with the outside world in interpersonal relationships, and in collective activity" [7].

If we analyze the use of a differentiated approach in the formation of legal competencies in future teachers using the example of Labor Law, a legally competent cadre is understood as a cadre who is aware of the legal basis for their advancement in their labor activities, as well as observing internal discipline, that is, able to eliminate legal nihilism, and on the contrary, reflects legal idealism in themselves. Whether a future teacher is a leader in his labor activities, a public figure, or a teacher, he is considered a cadre who has high legal professionalism in his professional activities, has the ability to be positive in social relations, has formed the ability to foresee the consequences of certain professional actions, and is altruistic (not selfish) in his collective activities.

The main goal of using a differentiated approach in the formation of legal competencies in future teachers is to achieve legal education. In the process of obtaining legal education, students should know their rights and freedoms established in our Constitution, use them and be able to apply them in their lives. An individual approach is of particular importance in using a differentiated approach in the formation of legal competencies in future teachers. In this case, the ability to assimilate each student is differentiated, and legal knowledge is presented in different forms. Studies show that a person's ability to perceive information is carried out through the organs of vision and hearing of the body. Taking this into account, it is advisable to use a differentiated approach in the

presentation of legal information. Of course, the lesson being taught should also be aimed at meeting modern requirements. "Lessons organized on a scientific basis are characterized by the fact that they further increase students' interest in the subject. They create an opportunity to acquire knowledge, skills, and abilities that allow them to draw rational, correct conclusions in any situation" [8].

The essence of legal education, the need for its organization, factors, conditions, the importance of family, educational institutions and public cooperation in the implementation of legal education and training, and the activities aimed at training them in the skills and competencies of legal activities the organizational form, methods and means will be emphasized separately [9].

In the work "Prevention of Crime by School Students", created by pedagogical scientist A.I. Ostrovsky, the main attention is paid to identifying the factors that cause crimes committed by students, determining measures to eliminate them, fostering in them a sense of respect for the social and legal norms adopted by society, and scientifically and theoretically addressing the issues of eliminating juvenile delinquency [10].

"Legal culture is an indicator of the quality of socio-legal activity aimed at understanding the essence of existing legal norms and laws, correctly assessing their significance in the life of society, ensuring that action or inaction has a legal basis, respect for the Constitution of the Republic and state symbols, as well as civil rights and duties, mastering legal knowledge and the need for legal services, the need for any form of violations, intolerance to any form of violations, and the formation of responsibility for social duty" [11].

In the research work of legal scientist A.A. Hamroev on the topic "Formation of the legal culture of the person", a special seed is given to the fact that the activities aimed at the formation of the legal culture of the person can be divided into the following components:

- 1) legal education;
- 2) legal advocacy;
- 3) legal education [12].

In his scientific article "Improving legal culture among youth - a priority direction of the education system," published in the Qudratillo legal education journal, Ibaidullaev emphasizes the need to use specific forms of education when working with young people [13].

Scholars such as M. Rajabova and O. Karimova have made a significant contribution to improving legal awareness among young people. Lawyer E. Kadyrov, in his treatise "Issues of Preventing Youth Crime," developed recommendations on youth crime and its causal consequences, prevention procedures, and crime prevention [14].

5. Discussion

Teachers and educators who study the problems of individualizing the learning process point to the relative characteristics of individualization. In this case, as a rule, in general education practice, attention is paid not to the individual characteristics of students, but to a group of students who are similar in complex qualities.

Russian teacher Ya.A. Kaminsky in his works promotes the concept of lesson study, that is, the concept of an individual approach to students in collective education. He also emphasizes the need to take into account the age and individual characteristics of students in the educational process.

The greatest educators and teachers of Western Europe (John Locke, Jean Lac Rousseau, Johann Gerbrat, Heinrich Pestalozzi, Adolf Desterweg and others) considered the meaning of an individual approach in education. For example, Rousseau's ideas form the basis of the theory of "Free Education" and pedocentrism, and according to pedagogy, education should only correspond to the interests and needs of the child. It should contribute to his development. The principle of cultural conformity developed by Desterweg suggests taking into account the nature of the child, as well as the influence of upbringing and education not only on a certain period, but also on the development of the country and the social environment. Revolutionary democrats V.G. Belinsky, N.A. Dobrolyubov and N.G. Chernyshevsky opposed conservatism in education and criticized the authoritarian nature of teaching in practice [15].

One of the founders of Russian pedagogical science, K.D. Ushinsky, who made a great contribution to the theoretical development of an individual approach to teaching, emphasizes that "there is no general recipe for education." Because children are inherently very individual, they are similar to each other, and therefore he advocated the differentiation of education, taking into account the physiological and psychological characteristics of the child. K.D. Ushinsky said, "If pedagogy wants to develop a person comprehensively, it must first of all recognize him in all aspects." There are a number of ideas related to this in the didactics of Russian thinkers, which are aimed at individualizing the educational process. For example, he considers it necessary to implement an individual differentiated approach in the conditions of collective classroom work, taking into account the specific features of the development of attention, memory, imagination, emotions, will, and attention. When organizing a lesson, the teacher should proceed from the abilities and individual characteristics of each student. That is, the uniqueness of the mental development of the child's nature is a reasonable solution to combine frontal and individual forms of work in the audience [16].

As N.I. Pirogov noted, "a teacher must have a deep understanding of the child's personality, know the laws of the development of the child's soul, and have the art of using methods that correspond to the character, temperament, and abilities of students in each individual case during the educational process. According to L. N. Tolstoy, all children can learn successfully, and the lagging behind of some is due to the teacher's inattention to the personal characteristics of students and the failure to filter collective work through individual activity.

In turn, a number of problems use these concepts as synonyms, almost not seeing the moral difference. I.D. Butuzov, when talking about differentiated education, uses the concept of "individualization" exclusively.

On the one hand, it is impossible to conduct differentiated education in individualization, on the other hand, differentiation denies the unification of the content of educational programs. That is, an individual approach to education, therefore, individualization is in some sense a result of differentiation. And differentiation, in turn, implements individual education. In recent years, researchers who develop the problems of individualization through programmed education have been using the term "individual differentiated (differential) approach to

students” in their works (A. A. Aukum, V.V. Ivanov, Yu. N. Kulyutkin, G. N. Kandirayenko, G. S. Sukobekaya, I. A. Churinov, etc.). A group of students is divided into groups of different levels of learning, which are divided into groups of different levels, depending on their individual typological characteristics (internal differentiation), and they are divided into groups of different levels of learning, depending on the volume of the program and the level of complexity of mastering the material (external differentiation).

The concept of differentiation is derived from the Latin word “differentia” - separation, differentiation. According to the collective dictionary of foreign words, it is “division”, the division of the whole into different parts, forms and steps. This is the most general interpretation of this concept, and in pedagogical science the term “differential” is associated with a number of concepts. “Differentiated education”, “differentiated approach”, “differentiated teaching aids”, etc.

The Russian Pedagogical Encyclopedia defines the concept of “differentiated education” as follows: “Organization of educational activities of middle and senior school students taking into account their inclinations, interests, and demonstrated abilities.” However, it is worth noting that, despite the fact that the problems of differentiated education have long been the focus of attention of educators and psychologists, this concept is interpreted differently.

6. Conclusion

The main goal of using a differentiated approach in the formation of legal competencies in future teachers is to achieve legal education. In the process of obtaining legal education, students should know their rights and freedoms established in our Constitution, use them and be able to apply them in their lives. An individual approach is of particular importance in using a differentiated approach in the formation of legal competencies in future teachers. In this case, the ability to assimilate each student is differentiated, and legal knowledge is presented in different forms. Studies show that a person's ability to perceive information is carried out through the organs of vision and hearing. Taking this into account, it is advisable to use a differentiated approach in the presentation of legal information. Of course, the lesson being taught should also be aimed at meeting modern requirements.

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The author declares that he/she consented to the publication of this study.

Authors' contributions

Author's independent contribution.

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